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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

The NVIDIA GPU Litigation

Case No. 08-cv-04312-JW

**DEFENDANT HEWLETT-
PACKARD COMPANY'S BRIEF
REGARDING THE SCOPE OF
CONSOLIDATION**

HP'S BRIEF REGARDING SCOPE OF CONSOLIDATION (08-CV-04312-JW)

Pursuant to ¶ 3 of the Court's Order of February 25, 2009 (Docket Entry No. 63), Defendant Hewlett-Packard Company ("HP") respectfully submits this Brief Regarding the Scope of Consolidation. As HP indicated during the February 23, 2009 Case Management Conference before the Court, it joins in Defendant nVidia Corp.'s request to consolidate all of the related cases that are part of this consolidation action. In its February 25, 2009 Order, the Court indicated that it "favors consolidation of these cases," but reserved a decision regarding the scope of such consolidation pending briefing on certain Plaintiffs' request to limit consolidation to pre-trial purposes only. HP likewise seeks consolidation for all purposes, but recognizes (as the Court and parties discussed on February 23, 2009) that future events may lead to requests for separate trials. Therefore, HP respectfully requests that the Court consolidate the related cases in this matter for all purposes.

Dated: March 2, 2009

MORGAN, LEWIS & BOCKIUS LLP

/s/

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